

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Tsuneji Suzuki <i>et al.</i>)	Confirmation No. 7720
)	
Application No. 10/049,666)	Group Art Unit: 1612
)	
Filed: February 15, 2002)	Examiner: Gollamudi S. Kishore
)	
For: Pharmaceutical Agent Comprising a)	<u>Dated: March 1, 2011</u>
Benzamide Derivative as Active Ingredient)	

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the Examiner the documents listed on the attached PTO Form 1449. Pursuant to 37 C.F.R. § 1.97(e)(1), each item of information contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

Specifically, listed Document 1 was cited in a Search Report from the Austrian Patent Office dated December 16, 2010 which issued in the corresponding United Arab Emirates Application No. UAE/P/53/2002. The two other references cited by the Search Report - EP 0847992 and Akiko et al., PNAS, 96(8), pp 4592-4597 (1999), were submitted in the IDS filed May 15, 2002 and were considered by the Examiner on June 23, 2003. Accordingly, only Document 1 from the Austrian Search Report is listed in the Form PTO-1449. A copy of Document 1 and the Austrian Search Report are provided for the Examiner's consideration.

Additionally, listed Document 2 was cited in an Office Action dated December 21, 2010 which issued in the corresponding Japanese Patent Application No. 2001-516539. A copy of the Japanese Office Action and Document 2 are provided for the Examiner's attention. Applicants respectfully request that the Examiner initial and return the PTO-1449 form, indicating that the information has been considered and made of record herein.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior

art.” Applicants reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

No fee is believed to be due. However, should the Patent Office determine otherwise, please charge the required fee to Morgan, Lewis & Bockius LLP Deposit Account 50-0310.

Dated: **March 1, 2011**
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Respectfully submitted
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